

**REMARKS**

Applicants respectfully request favorable consideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-19 are now pending in the present application. Claims 1, 9, 10, and 15-19 are the independent claims.

Claims 17-19 are newly-presented. Claims 6, 15, and 16 have been amended. No new matter has been added.

The Office Action objected to independent claims 15 and 16 on formal grounds. In response, independent claims 15 and 16 have been amended in view of the Examiner's comments. Favorable consideration is respectfully requested.

Claim 6 is rejected under 35 U.S.C. § 112, first paragraph, as being non-enabling. In response, Applicants have amended claim 6 in a manner believed to address this rejection. Accordingly, favorable reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1, 9-12, 15, and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,756,587 (Sano et al.). Claims 1-4 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,117,470 (Inoue et al.) in view of Sano et al. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sano et al. in view of U.S. Patent No. 5,621,839 (Asano et al.). Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Sano et al. in view of U.S. Patent No. 5,917,628 (Ooi et al.). Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Sano et al. in view of U.S. Patent No. 5, 475,771 (Hosoi). Claims 13 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al. in view of U.S. Patent No. 5,396,328 (Jestel et al.). All rejections are respectfully traversed.

Applicants respectfully submit that none of the asserted citations, either alone or in combination (assuming arguendo that these documents may properly be combined) teaches or suggests at least the aforementioned features of independent claims 1, 9, 10, 15, and 16.

Sano et al. relates to an optical multi/demultiplexer and teaches, in an alternative embodiment, an optical multi/demultiplexer having a first waveguide 1, second and third branching waveguides 2 and 3 respectively arranged on both sides of the first waveguide to which light from the first waveguide is branched, and waveguides 26 and 27 to which light from

branching waveguides 2 and 3 is again branched. Sano et al. further teaches employing open waveguides 4, 5, and 28-31 to filter “unnecessary light components.” (Sano et al., Col. 5, lines 3-21; FIG. 6(a)). These “unnecessary components” are, as shown in FIG. 6(a), light of wavelength  $\lambda_1$ . Thus, Sano et al. teaches filtering a specific light component ( $\lambda_1$ ) via the waveguide 3 and does not meet all of the features of independent claims 1, 9, 19, 15, and 16.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 9, 10, 15, and 16 under 35 U.S.C. § 102 are respectively requested.

Regarding the rejection of claims 1-4 and 8 under 35 U.S.C. § 103, it is noted in the Office Action at page 5, that Inoue et al. does not teach or suggest a third optical element and Sano et al. is relied upon for such a teaching or suggestion. However, for at least the reason discussed above, it is respectfully submitted that Sano et al. does not add anything that would remedy the aforementioned deficiency in the teachings of Inoue et al.

Accordingly, favorable reconsideration and withdrawal of the rejection of claims 1-4 and 8 under 35 U.S.C. § 103 are respectfully requested.

Regarding the rejection of claim 5 under 35 U.S.C. §103, Asano et al. relates to an optical waveguide device having a substrate made of ferroelectric crystals. Applicants respectfully submit that Asano et al. does not add any teaching that would remedy the aforementioned deficiency of Sano et al.

Therefore, without conceding the propriety of combining Sano et al. and Asano et al. in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claim 5. Therefore, reconsideration and withdrawal of the rejection of claim 5 under 35 U.S.C. §103 is respectfully requested.

Regarding the rejection of claim 6 under 35 U.S.C. §103, Ooi et al. relates to an optical time-division multiplexer capable of supplying a stable output signal. Applicants respectfully submit that Ooi et al. does not add any teaching that would remedy the aforementioned deficiency of Sano et al.

Therefore, without conceding the propriety of combining Sano et al. and Ooi et al. in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claim 6. Therefore, reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. §103 are respectfully requested.

Regarding the rejection of claim 7 under 35 U.S.C. §103, Hosoi relates to a polarization splitter having an anisotropic optical waveguide. Applicants respectfully submit that Hosoi does

not add any teaching that would remedy the aforementioned deficiency of Sano et al.

Therefore, without conceding the propriety of combining Sano et al. and Hosoi in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claim 7. Therefore, reconsideration and withdrawal of the rejection of claim 7 under 35 U.S.C. §103 are respectfully requested.

Regarding the rejection of claims 13 and 14 under 35 U.S.C. § 103, claims 13 and 14 depend from claim 12, which depends from claim 1. Applicants respectfully submit that neither Inoue et al. for the reasons discussed above or Jestel et al., which relates to a waveguide type displacement interferometer having two reference paths and is cited for its teaching of “mirrors or diffraction grating at the end” (Office Action, page 8), teaches or suggests at least the aforementioned features of independent claim 1.

Therefore, without conceding the propriety of combining Inoue et al. and Hosoi in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claims 13 and 14. Therefore, reconsideration and withdrawal of the rejection of claims 13 and 14 under 35 U.S.C. §103 are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

#### **REQUEST FOR PERSONAL INTERVIEW**

Applicants believe that the claims presented for examination in the present application are patentable over the citations of record. However, in the event that the Office does not agree, Applicants respectfully request that the Office telephone the Applicants' undersigned representative to arrange for a personal interview.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such

matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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